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Filed : November 25, 1998

adjustable nut saddle member 20 has exactly the same dimensions as the other adjustable nut saddle members 20. As discussed in the background section of Applicants' specification, LoJacono discloses a complex structure with multiple parts that requires adjustment of each individual string at both the nut and bridge of the guitar. Disadvantageously, the complex structure of LoJacono is subject to rattles, goes out of tune, requires periodic adjustments, and increases the costs of the guitar.

There are several distinctions between LoJacono and the Claims of the present application. First, Claim 1 claims one or more intonation portions on a front side of an elongated body. For example, Figure 5 of the present application illustrates one embodiment of intonation portions 64 on a front side 52 of an elongated body 50. LoJacono does not teach or suggest intonation portions on the front wall of the elongated body.

Moreover, Claim 1 claims intonation portions having different dimensions according to the desired pitch compensation for each string. LoJacono does not teach or suggest intonation portions having different dimensions according to the desired pitch compensation for each string. Finally, Claim 1 has been amended to claim fixed intonation portions. Any adjustment to the intonation portions is fixed at the factory. The user does not adjust the intonation portions. LoJacono does not teach a nut with fixed intonation portions.

Claims 2-4, 9 and 10 depend from amended Claim 1 and are believed to be allowable in combination with the limitations of Claim 1 for the reasons stated above.

For Claims 5 and 8, Applicants tested commonly-used string gauges for each pitch string on a typical guitar and determined the amount of desired compensation for each string. Applicants' testing methods and results are described on pages 10-14 of the original specification. Claims 5 and 8 claim particular dimension ranges of the intonation portions of Claim 1 which Applicants determined would provide optimal compensation. Thus, the dimensions in Claims 5 and 8 are not a "conventional design choice."

Claim 6 claims intonation portions with first and second side walls located in the front side of the elongated body. In LoJacono, the front wall 14 does not have any intonation portions with first and second side walls (Figure 1). Thus, LoJacono does not teach Claim 6.

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Claim 11 claims intonation portions that comprise outwardly extending projections. LoJacono does not disclose or teach intonation portions that comprise outwardly extending projections.

Claim 12 has been amended to claim fixed intonation portions. As stated above, LoJacono does not teach a nut with fixed intonation portions. Moreover, Claim 12 claims intonation portions having different dimensions according to the desired pitch of the stringed instrument. LoJacono does not teach or suggest intonation portions having different dimensions according to the desired pitch of the stringed instrument.

Claims 13-15 depend from amended Claim 12 and are believed to be allowable in combination with the limitations of Claim 1. In addition, Claim 13 claims intonation portions located at least partially on a front side of an elongated body. LoJacono does not teach or suggest intonation portions on the front wall 14 of the elongated body 12.

Claim 16 claims a nut with one or more cut-out sections on the front side of the nut. LoJacono does not teach a nut with one or more cut-out sections on the front side of the nut.

Claim 17-19 depend from Claim 16 and are believed to be allowable in combination with the limitations of Claim 16.

Claims 20 has been amended to claim non-adjustable intonation portions. Claim 21 has been amended to claim fixed means for compensating the intonation of one or more strings. Claim 22 has been amended to claim fixed, string termination points. LoJacono does not teach a nut with fixed intonation portions, fixed means for compensating the intonation of one or more strings, or fixed, string termination points.

Moreover, Claim 20 claims intonation portions having different dimensions according to the desired pitch of the stringed instrument. LoJacono does not teach or suggest intonation portions having different dimensions according to the desired pitch of the stringed instrument.

Claims 23 and 24 depend from Claim 22 and are believed to be allowable in combination with the limitations of Claim 22.

Claim 25 has been amended to claim fixed intonation portions. LoJacono does not teach a nut with non-adjustable intonation portions. Moreover, Claim 25 claims intonation portions having different dimensions according to the desired pitch compensation for each string.

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LoJacono does not teach or suggest intonation portions having different dimensions according to the desired pitch for each string.

The Examiner did not state a reason for rejecting Claim 9. Applicants presume that the Examiner intended to reject Claim 9 in view of LoJacono. Accordingly, Applicants have included Claim 9 in the amendments and remarks above.

Response To Rejection Of Claim 7 Under 35 U.S.C. § 103(a) Over LoJacono In View Of Wilkinson

The Examiner rejected Claim 7 under 35 U.S.C. § 103(a) as being unpatentable over LoJacono in view of Wilkinson. Claim 7 depends from amended Claim 1. Neither LoJacono nor Wilkinson teach fixed intonation portions having different dimensions according to the desired pitch compensation for each string.

New Claim 29

New Claim 29 is fully supported by page 9 of the original specification and does not add new matter.

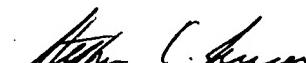
In view of the foregoing remarks and amendments, withdrawal of the rejection is earnestly requested. If any issue remains to be resolved, the Examiner is invited to contact the undersigned to resolve such issue.

Respectfully submitted,

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